

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

ZURICH AMERICAN INSURANCE COMPANY as
subrogee of MICROBAC LABORATORIES, INC.,

Docket No.: 5:21-CV-0374

Plaintiff,

-against-

NIAGARA MOHAWK POWER CORPORATION,
INC., ITRON, INC., and ABB INSTALLATION
PRODUCTS INC.,

Defendants.

**STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE
AS TO DEFENDANT ABB INSTALLATION PRODUCTS INC.**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through their undersigned counsel, that pursuant to Fed. R. Civ. P. 41(a)(2), plaintiff ZURICH AMERICAN INSURANCE COMPANY, as subrogee of MICROBAC LABORATORIES, INC., hereby voluntarily dismisses and discontinues all claims against defendant ABB INSTALLATION PRODUCTS INC. only, with prejudice, with each party to bear its own costs, expenses, and attorneys' fees.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that pursuant to Federal Rule of Civil Procedure 41 et. Seq., all parties hereby voluntarily dismiss and discontinue all claims, crossclaims, and counterclaims asserted against defendant ABB INSTALLATION PRODUCTS INC. in the above proceedings, with prejudice.

Dated: New York, New York
October 13, 2022

COZEN O'CONNOR
Attorneys for Plaintiff
ZURICH AMERICAN INSURANCE
COMPANY as subrogee of **MICROBAC**
LABORATORIES, INC.

By: /s/ Daniel Luccaro

Daniel J. Luccaro, Esq.
djluccaro@cozen.com
One Liberty Place
1650 Market Street, Suite 2800
New York, New York 10007
Phone: 212-908-1274

MORRISON MAHONEY LLP
Attorneys for Defendant
ABB INSTALLATION PRODUCTS INC.

By: K. Stupnevich

Kateryna Stupnevich, Esq.
kstupnevich@morrisonmahoney.com
Wall Street Plaza
88 Pine Street, Suite 1900
New York, NY 10005
Phone: 212-825-1212

MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN
Attorneys for Defendant
ITRON, INC.

By: R. Aldrich

Robert J. Aldrich, III, Esq.
rjaldrich@mdwvcg.com
PO Box 3118
Scranton, PA 18505
Phone: 570-496-4602

LAVIN CEDRONE GRAVER BOYD &
DISIPIO
Attorneys for Defendants
NIAGRA MOHAWK POWER
CORPORATION d/b/a NATIONAL GRID

By: T. McHugh

Timothy J. McHugh, Esq.
tmchugh@lavin-law.com
420 Lexington Avenue, Suite 35
New York, NY 10170
Phone: 212-415-8202

IT IS SO ORDERED.

DATED: 10/18/22

Thomas J. McAvoy
Hon. Thomas J. McAvoy, Senior U.S.D.J.